

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

NICK URISOTE and
MONICA MAESTAS

Plaintiffs,

vs.

CIV NO. 09-0734 BRB/CG

MARTIN SALAZAR, et al.,

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court *sua sponte*. The FEDERAL RULES OF CIVIL PROCEDURE require that the Plaintiffs serve the Defendants with a summons and a copy of the complaint within 120 days after the complaint is filed or that the Defendants waive service. If service or waiver is not accomplished within 120 days of the filing of the complaint, the action may be dismissed without prejudice. FED. R. CIV. P. 4(c), (d), (m).

In this case, Plaintiffs filed a Complaint for damages for violation of civil rights on July 27, 2009. (Doc. 1.) The Court issued Plaintiff summonses for Defendant Martin Salazar on August 3, 2009 and for the remaining Defendants on August 5, 2009. The docket reflects no evidence of service upon any Defendant or waiver of service.

IT IS THEREFORE ORDERED that, within fourteen (14) days from the entry of this Order, Plaintiff shall show cause, if any, why this lawsuit should not be dismissed without prejudice for failure to serve.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE